

REMARKS

Claims 1-4, 6-8, 10-12, 14, 15 and 21-25 are pending in the present application. Claims 1-4, 6-8, 10-12, 14, 15 and 21-25 have been rejected. No claims have been allowed. Claims 7 and 14 have been canceled. Claims 1, 6, 8 and 25 have been amended. No new claims have been added.

I. Claim Objections

Claims 6 and 7 have been objected to as depending on canceled claim 5. Appropriate amendments have been made herein, and it is respectfully submitted that the pending objections have been obviated thereby.

II. Claim Rejections under 35 U.S.C. § 102

Claim 8 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0116845 to Bojkov, et al. ("Bojkov"). In addition, claims 8, 10, 12, 14, 15, and 21-25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0121692 to Lee, et al. ("Lee"). In particular, the Final Office Action states, "Lee discloses an integrated circuit device, as shown in figs. 1-4, comprising . . . a resilient layer 16." Applicants respectfully traverse these pending § 102 rejections, particularly with respect to claim 14, and submit that these rejections have been overcome in any event through the present amendments.

Claim 6 has been amended in response to the pending claim objections. Each of independent claims 1, 8 and 25 have been amended to incorporate elements already present in dependent claims therefrom, such that no new claim elements are being presented herein after final. In particular, each claim has been amended to incorporate claim elements regarding the

relationship between the vias in the claimed passivation and resilient layers, with benefits of such a relationship being set forth in the written description.

In order to anticipate a claim, a reference must teach every material element of that claim. Independent claims 8 and 25, and thus all dependent claims therefrom, all recite the elements of:

- a ☐ resilient layer defining a substantially horizontal plane and disposed ☐ on ☐ said passivation layer; and
- wherein one or more of said plurality of passivation layer vias each define a perimeter that completely encloses the perimeter of a corresponding resilient layer via, such that an associated under bump metallization stack contacts said resilient layer but does not contact said passivation layer.

Applicants respectfully submit that Lee does not teach the foregoing elements, as asserted by the Final Office Action, and that no recited prior art reference cures this failure of Lee. In asserting that Lee teaches a resilient layer, the Final Office Action points to layer 16 of the prior art device illustrated at Figures 1-4 in Lee. However, a careful read of Lee reveals that its "prior art" layer 16 is actually a dielectric layer and not a resilient layer. Applicants respectfully submit that there are a wide variety of materials that can be used to create a dielectric layer, with very few of these materials being potential resilient materials. Because Lee does not list any specific materials for its dielectric layer 16, and because nothing in Lee teaches or suggests that this layer should be resilient, it is simply improper to assume that this "dielectric layer 16" is also a resilient layer. Because all pending claims require a resilient layer, all pending rejections based on Figures 1-4 of Lee fail on this basis alone.

With respect to the second element above, Lee is the only recited prior art reference that teaches or suggests that any second layer can be disposed atop its passivation layer to completely cover the passivation layer. However, as noted above, this layer in Lee is a dielectric layer and not a resilient layer. Because no reference teaches or suggests a resilient layer disposed atop a

passivation layer such that the passivation layer is completely covered by the resilient layer, none of the provided references can be said to anticipate any of the pending claims.

III. Claim Rejections under 35 U.S.C. § 103

Claims 1-4 and 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,249,044 Kao, et al. ("Kao") in view of U.S. Patent No. 6,258,705 to Chien, et al. ("Chien"). Further, claim 7 stands rejected as being unpatentable over Kao in view of Chien, and further in view of Lee. Applicants respectfully traverse these pending § 103(a) rejections, particularly with respect to claim 7, and submit that these rejections have been overcome in any event through the amendments made herein.


Applicants initially similarly object to the Final Office Action assertion that "Lee discloses . . . a resilient layer 16 disposed on the passivation layer 12." As noted above, layer 16 of Lee is a dielectric layer, and not a resilient layer. Although the Final Office Action points to paragraph [0079] of Lee for the proposition that this layer could be a polyimide, this paragraph refers to a *different* dielectric layer from an embodiment of the Lee invention, and not layer 16 of the Lee described prior art. The locations and functions of these layers are different within their separate contexts. Accordingly, the disclosure of paragraph [0079] is irrelevant to any material or properties for the generically described "dielectric layer 16" of Lee.

While several references do teach of passivation layers and resilient layers, none of these references teach of a relationship in these layers "wherein at least a portion of said plurality of passivation layer vias define a perimeter that completely encloses the perimeter of a corresponding resilient layer via." Applicants accordingly submit that none of the recited references, alone or in combination, teaches or suggests any of the pending claims. Reconsideration of the pending final rejections is thus respectfully requested.

CONCLUSION

Applicants respectfully submit that all claims are in proper form and condition for patentability, and thus request a Notification of Allowance to that effect. It is believed that no fees are due at this time. Should any fee be required for any reason related to this document, however, then the Commissioner is hereby authorized to charge said fee to Deposit Account No. 50-0388, referencing Docket No. NSC1P284. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Justin A. White
Registration No. 48,883

April 21, 2006

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300